

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ADRIANE SMITH

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:08CV89-P-S

PLATTE CHEMICAL COMPANY, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATIONS

On consideration of the file and record of this action, the Court finds that the Report and Recommendations of the United States Magistrate Judge dated December 16, 2008, was on that date duly served by regular mail upon the *pro se* plaintiff and served upon counsel for the defendants; that more than ten days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendations should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendations of the United States Magistrate Judge dated December 16, 2008, is hereby approved and adopted as the opinion of the Court.
2. That the Complaint herein is **DISMISSED with prejudice** for failure to prosecute and for failure to obey an order of the Court pursuant to FED.R.CIV.P. 41(b).

THIS, the 8th day of January, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE